



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

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801-538-7223 (TDD)

October 19, 2001

CERTIFIED RETURN RECEIPT
7099 3400 0016 8896 4509

Craig Puljan
Ash Grove Cement Company
8900 Indian Creek Parkway
Overland Park, Kansas 66210

Re: Notice of Potential Non-Compliance & Division Directive, Ash Grove Cement Company, Grouse Creek Clay Mine, S/003/043, Box Elder County, Utah

Dear Mr. Puljan:

On October 11, 2001, the Division inspected your Grouse Creek Clay Quarry Section 26, Township 9 North, Range 19 West, SLBM, Box Elder County, Utah (inspection memo attached). During the inspection, Division staff used a GPS unit to measure the disturbed acreage at the site. The disturbed acreage (quarry and access road) was estimated to be at 5.6 acres, which exceeds the limit of your five acre small mining operation.

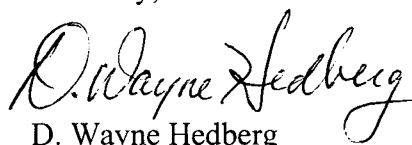
You are hereby directed to contact the Division within 10 days of your receipt of this letter to schedule a meeting to discuss options to remedy this situation. Please contact Vicki Southwick, Executive Secretary, at (801) 538-5304 to arrange a meeting with the Associate Director to resolve this matter. Your failure to respond accordingly may result in the issuance of a formal Notice of Non-Compliance. This enforcement action could require an immediate suspension of mining operations, the filing of a large mine permit application and the posting of a transitional reclamation surety at \$5,000/acre.

Until this issue is resolved, you must restrict your mining operations to the original 5 acre permit area and you must mark the boundary of this 5-acre area with metal T-posts (or other suitable markers) to ensure that operations are not conducted outside of the permitted area before a large mining notice is approved. The markers must be placed so they can be seen in either direction with the naked eye.

Page 2
Craig Puljan
S/003/043
October 19, 2001

If you have any questions regarding this notice, please contact me at (801) 538-5286, or Lynn Kunzler at (801) 538-5310. Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "D. Wayne Hedberg". The signature is written in dark ink and is positioned above the printed name.

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Enclosures: Inspection memo
cc: Cheryl Martinez, BLM
Mary Ann Wright, DOGM
Lynn Kunzler, DOGM
S03-43-potential noncomp.doc